IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

FRIDAY, THE 25TH MAY 2007 / 4TH JYAISHTA 1929

WP(C).No. 14291 of 2007(B)

PETITIONER:

K.SURESH KUMAR, AGED 40,
S/O.KARUNAKARAN, ARUN VIHAR,
CHERIKKONAM CHERRY, KANNANALLOOR P.O.,
TRIKKOVILVATTOM VILLAGE, KOLLAM DISTRICT.

BY ADV. SRI.C.C.THOMAS

RESPONDENTS:

1. STATE OF KERALA REP. BY ITS SECRETARY (HOME),
GOVT. SECRETARIAT, THIRUVANANTHAPURAM.

2. THE SUB INSPECTOR OF POLICE, PARAVOOR POLICE
STATION, PARAVOOR P.O., KOLLAM DISTRICT.

3. THE CIRCLE INSPECTOR OF POLICE,
PARAVOOR P.O., KOLLAM DISTRICT.

4. THE DY. SUPDT. OF POLICE, KOLLAM.

5. THE DISTRICT SUPERINTENDENT OF POLICE, KOLLAM.

6. KISHORE KUMAR, AGED 30,
KRISHNA MANDIRAM, KALAYKKODE,
BOOTHAKKULAM P.O., KOLLAM.

7. RAVIKUMAR @ APPUKUTTAM,
AGED 38, KRISHNA MANDIRAM, KALAYKKODE,
BOOTHAKKULAM P.O., KOLLAM DISTRICT.

8. SURENDRAN, AGED 4O, KANJIRAM VILA VEEDU,
KALAYKKODE, BOOTHAKKULAM P.O., KOLLAM DIST.

R1 TO R5 BY GOVT. PLEADER SRI.P.A.SALIM
R6 TO R8 BY ADV. SRI.V.VENUGOPALAN NAIR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.B.Koshy & K.P.Balachandran, JJ.

W.P.(C)No. 14291 of 2007 B

JUDGMENT

Koshy, J.

This is a petition for police protection for conducting the licensed toddy shop. It is the contention of the petitioner that the licensed shop is not situated in an objectionable place and he has spent large amounts of money. For invalid reasons, it is being objected.

2. The contesting respondents filed a counter stating that the toddy shop is situated within an objectionable distance from the temple and other establishments and filed Exhibit R6 (a) and (f) before the District Collector as well as before the Excise Commissioner.

3. In these circumstances, we direct the Excise Commissioner to dispose of the above representations, with notice to the parties, within two weeks from the date of receipt of a copy of

this judgment and if it is ascertained that the toddy shop is not situated within an objectionable place, police should give adequate protection to the petitioner and if it is in objectionable place, necessary shifting orders are to be passed by the Excise Commissioner.

The writ petition is disposed of as above.

(J.B.Koshy, Judge)

25th May, 2007

(K.P.Balachandran, Judge)

tkv